

**UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA**

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Rocco Giofoletti, on behalf of themselves  
and all others similarly situated,

Case No. 0:18-cv-03025 (JNE/ECW)

Plaintiff,

v.

Securian Financial Group, Inc., Minnesota  
Life Insurance Company, Securian Life  
Insurance Company, and Minnesota Mutual  
Companies, Inc.

Defendants.

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**Defendants' Partial Motion to Dismiss  
Plaintiff's Complaint for Failure to State a Claim**

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Defendants, by and through their undersigned counsel and pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure, respectfully request that this Court enter an Order partially dismissing Plaintiff's Complaint for Failure to State a Claim.

This motion is based upon Defendants' memorandum of law in support of dismissal, and all files, records, and pleadings, the arguments of counsel, and any additional argument, evidence, or briefing as may be presented.

Dated: December 14, 2018

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